

**LANESBOROUGH SPECIAL TOWN MEETING JULY 31, 2012**  
**DOCK BY-LAW BACKGROUND INFORMATION**

1. All docks in great ponds must be licensed by the Commonwealth, acting thru the DEP. Pontoosuc is a great pond, the only one in Lanesborough. The DEP must make judgments on dock permitting in the Lanesborough half of Pontoosuc, and without a Lanesborough by-law on docks there is no local input for these judgments
2. The by-law also regulates rafts and moorings. Permits for these are issued by the harbormaster. Regulations are included in the by-law to implement consistent permitting for everyone.
3. The proposed by-law essentially the same as that which was on the warrant for the fy2012 annual town meeting (held in June 2011). After extended discussion, the moderator made a judgment that the time spent on this one issue would prevent completing all the other business necessary to complete at the meeting, and that only a minority of the attendees had interest in the subject so he moved past the by-law article without action. There was no objection.
4. The proposed by-law is the product of an informal working-group formed after a previous proposed was tabled for further study at a special town meeting in 2007. It is a consensus agreement between different interests reached through negotiation between the participating committee members. The informal committee grew in preparation for the annual meeting in 2011, and with the additional participation a consensus could not be reached, in particular on permitting docks on rights-of-way.
5. We have attempted to identify all desired changes to the by-law, and have developed a plan to present these in an ordered sequence so that the meeting can make decisions on each issue in a logical order. This will enable the meeting to efficiently reach a result. For instance, if the by-law is amended to prohibit docks on any right-of-way, there will be no need to consider modifying the restrictions on placement etc. of such docks. Discussion will be allowed and encouraged on each of these amendments. At the conclusion of this ordered process, the floor will be open for amendments on any subject.
6. A study committee on roads and rights-of-way was formed by the Selectboard last year, and the findings of this committee may be relevant to how people feel about the by-law. Pertinent findings are;
  - Private Rights-of-way; All the 10 foot wide rights-of-way off Narragansett Ave. and some others are private. They were established by the developers of the subdivisions for the use of residents of the subdivision. Each abutter owns to the center. The DEP will not permit a dock without the owner's permission, so one or both abutters of the right-of-way must be in agreement for a dock to be installed.
  - Public Rights-of-way; The streets off Bull Hill Road and some others have been accepted to the lakeshore and are owned by the Town. This creates several Town-owned rights-of-way. The DEP may permit a dock on such a right-of-way if the town provides permission.